

tion] shall apply with respect to pay periods beginning after September 30, 1993.”

[Section 321 of Pub. L. 102-392 provided that the amendment made by that section to section 104 of Pub. L. 102-397, set out above, is effective Oct. 6, 1992.]

#### LUMP-SUM PAYMENT

Title II of Pub. L. 102-397 provided that:

##### “SEC. 201. DEFINITIONS.

“For the purpose of this title—

“(1) the term ‘officer’ includes all personnel of the rank of lieutenant or higher, including inspector;

“(2) the term ‘member’ includes all personnel below the rank of lieutenant, including detectives; and

“(3) the term ‘Clerk of the House of Representatives’ or ‘Clerk’ includes a successor in function to the Clerk.

##### “SEC. 202. LUMP-SUM PAYMENT FOR ACCUMULATED AND CURRENT ACCRUED ANNUAL LEAVE.

“An officer or member of the United States Capitol Police who separates from service within the 2-year period beginning on the date of the enactment of this title [Oct. 6, 1992] and who, at the time of separation, satisfies the age and service requirements for title to an immediate annuity under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, shall be entitled to receive a lump-sum payment for the accumulated and current accrued annual leave to which that individual is entitled, but only to the extent that such leave is attributable to service performed by such individual as an officer or member of the Capitol Police.

##### “SEC. 203. PROCEDURES.

“(a) IN GENERAL.—A payment under this title shall be paid—

“(1) in the case of an officer or member whose pay (for service last performed before separation) is disbursed by the Clerk of the House of Representatives—

“(A) by the Clerk;

“(B) after appropriate certification is made to the Clerk by the Sergeant at Arms of the House of Representatives; and

“(C) out of funds available to pay the salaries of officers and members of the Capitol Police whose pay is disbursed by the Clerk; and

“(2) in the case of an officer or member whose pay (for service last performed before separation) is disbursed by the Secretary of the Senate—

“(A) by the Secretary of the Senate;

“(B) after appropriate certification is made to the Secretary of the Senate by the Sergeant at Arms and Doorkeeper of the Senate; and

“(C) out of funds available to pay the salaries of officers and members of the Capitol Police whose pay is disbursed by the Secretary of the Senate.

“(b) CERTIFICATION.—Any certification under subsection (a)(1)(B) or (a)(2)(B) shall state the total of the accumulated and current accrued annual leave, to the credit of the officer or member involved, which may be taken into account for purposes of a computation under subsection (c).

“(c) COMPUTATION.—(1) The amount of a lump-sum payment under this title shall be determined by multiplying the hourly rate of basic pay of the officer or member involved by the number of hours certified with respect to such officer or member in accordance with the preceding provisions of this section.

“(2) The hourly rate of basic pay of an officer or member shall, for purposes of this title, be determined by dividing 2,080 into the annual rate of basic pay last payable to such officer or member before separating.

“(d) TREATMENT AS PAY.—A lump-sum payment under this title shall be considered to be pay for taxation purposes only.

“(e) CLARIFICATION.—For purposes of this title, the terms ‘officer’ and ‘member’ may not be construed to include any civilian employee.”

## § 208. Suspension of Capitol Police members

The captain of the Capitol police may suspend any member of the force, subject to the approval of the two Sergeants at Arms and of the Architect of the Capitol.

(R.S. § 1823; Mar. 3, 1921, ch. 124, § 1, 41 Stat. 1291.)

#### CODIFICATION

R.S. § 1823 derived from acts Mar. 3, 1873, ch. 226, 17 Stat. 488; June 20, 1874, ch. 328, 18 Stat. 86; Mar. 3, 1875, ch. 129, 18 Stat. 345.

#### CHANGE OF NAME

Change of name of Architect of the Capitol, functions abolished, transferred etc., by prior acts, see Codification and Prior Provisions notes set out under section 161 of this title.

## § 209. Pay of Capitol Police members under suspension

On and after March 3, 1875, whenever a member of the Capitol police or watch force is suspended from duty for cause, said policeman or watchman shall receive no compensation for the time of such suspension if he shall not be reinstated.

(Mar. 3, 1875, ch. 129, 18 Stat. 345.)

#### CODIFICATION

Section is based on a proviso in act Mar. 3, 1875, popularly known as the “Legislature, Executive, and Judicial Appropriation Act, fiscal year 1876”.

## § 210. Uniform, belts and arms; Capitol Police

The Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives shall select and regulate the pattern for a uniform for the Capitol police and watchmen, and furnish each member of the force with the necessary belts and arms, payable out of the contingent fund of the Senate and House of Representatives upon the certificate of the officers above named. Such arms so furnished shall be carried by each officer and member of the Capitol Police, while in the Capitol Buildings (as defined in section 193m(a)(1) of this title), and while within or outside of the boundaries of the United States Capitol Grounds (as defined in section 193a of this title), in such manner and at such times as the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives may, by regulations, prescribe.

(R.S. § 1824; Pub. L. 92-607, ch. V, § 507, Oct. 31, 1972, 86 Stat. 1508; Pub. L. 95-26, title I, § 112, May 4, 1977, 91 Stat. 87.)

#### CODIFICATION

R.S. § 1824 derived from act Mar. 30, 1867, ch. 20, § 1, 15 Stat. 11.

#### AMENDMENTS

1977—Pub. L. 95-26 struck out “at a cost not to exceed twenty dollars per man,” after “furnish each member of the force with the necessary belts and arms.”

1972—Pub. L. 92-607 directed that the arms be carried in the Capitol Buildings and within and without the boundaries of the United States Capitol Grounds according to regulations prescribed by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives.

### § 210a. Uniforms to display United States flag or colors

(a) The uniform of officers and members of the United States Park Police force, the United States Secret Service Uniformed Division, the Capitol Police, and the Metropolitan Police force of the District of Columbia shall bear a distinctive patch, pin, or other emblem depicting the flag of the United States or the colors thereof.

(b) The Secretary of the Interior in the case of the United States Park Police force, the Secretary of the Treasury in the case of the United States Secret Service Uniformed Division, the Capitol Police Board in the case of the Capitol Police, and the Mayor of the District of Columbia in the case of the Metropolitan Police force shall prescribe such regulations as may be necessary to carry out the purposes of this section.

(Pub. L. 91-297, title II, § 201(a), (b), June 30, 1970, 84 Stat. 357; Pub. L. 93-198, title IV, § 421, Dec. 24, 1973, 87 Stat. 789; Pub. L. 95-179, Nov. 15, 1977, 91 Stat. 1371.)

#### CODIFICATION

Section is also set out in D.C. Code, § 4-127.

#### AMENDMENTS

1977—Pub. L. 95-179 substituted “United States Secret Service Uniformed Division” for “Executive Protective Service” wherever appearing.

#### EFFECTIVE DATE

Section 201(c) of Pub. L. 91-297 provided that: “This section [enacting this section] shall take effect one hundred and eighty days after the date of enactment of this title [June 30, 1970].”

#### TRANSFER OF FUNCTIONS

Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-241 of the District of Columbia Code. Accordingly, “Mayor” substituted in text for “commissioner”.

### § 211. Uniform; at whose expense; Capitol Police

The members of the Capitol police shall furnish, at their own expense, each his own uniform, which shall be in exact conformity to that required by regulation of the Sergeants at Arms.

(R.S. § 1825.)

#### CODIFICATION

R.S. § 1825 derived from act July 20, 1868, ch. 176, § 1, 15 Stat. 94.

### § 212. Wearing uniform on duty; Capitol Police

The officers, privates, and watchmen of the Capitol police shall, when on duty, wear the regulation uniform.

(Mar. 18, 1904, ch. 716, § 1, 33 Stat. 89.)

#### CODIFICATION

The text of this section was taken from act Mar. 18, 1904, popularly known as the “Legislative, Executive and Judicial Appropriation Act for the fiscal year ending June 30, 1905”. Similar provisions were contained in the following prior appropriation acts:

Feb. 25, 1903, ch. 755, § 1, 32 Stat. 857.  
Mar. 3, 1901, ch. 830, § 1, 31 Stat. 963.

### § 212a. Policing of Capitol Buildings and Grounds; powers of Capitol Police; arrests by Capitol Police for crimes of violence; arrests by District of Columbia police

The Capitol Police shall police the United States Capitol Buildings and Grounds under the direction of the Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, and shall have the power to enforce the provisions of sections 193a to 193m, 212a, 212a-2, and 212b of this title and regulations promulgated under section 212b of this title, and to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto: *Provided*, That for the fiscal year for which appropriations are made by this Act the Capitol Police shall have the additional authority to make arrests within the District of Columbia for crimes of violence, as defined in section 16 of title 18, committed within the Capitol Buildings and Grounds and shall have the additional authority to make arrests, without a warrant, for crimes of violence, as defined in section 16 of title 18, committed in the presence of any member of the Capitol Police performing official duties: *Provided further*, That the Metropolitan Police force of the District of Columbia are authorized to make arrests within the United States Capitol Buildings and Grounds for any violation of any such laws or regulations, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Capitol Police Board, to enter such buildings to make arrests in response to complaints or to serve warrants or to patrol the United States Capitol Buildings and Grounds. For the purpose of this section, the word “grounds” shall include the House Office Buildings parking areas and that part or parts of property which have been or hereafter are acquired in the District of Columbia by the Architect of the Capitol, or by an officer of the Senate or the House, by lease, purchase, intergovernment transfer, or otherwise, for the use of the Senate, the House, or the Architect of the Capitol.

(July 31, 1946, ch. 707, § 9, 60 Stat. 719; Dec. 24, 1973, Pub. L. 93-198, title VII, § 739(g)(4), (5), 87 Stat. 829; Nov. 5, 1990, Pub. L. 101-520, title I, § 106, formerly § 106(a), 104 Stat. 2264, renumbered § 106 and amended Oct. 6, 1992, Pub. L. 102-392, title III, § 310, 106 Stat. 1723; Oct. 6, 1992, Pub. L. 102-397, title I, § 103, 106 Stat. 1950.)

#### REFERENCES IN TEXT

This Act, referred to in text, probably means Pub. L. 101-520, Nov. 5, 1990, 104 Stat. 2254, known as the Legislative Branch Appropriations Act, 1991, which amended this section generally. For complete classification of this Act to the Code, see Tables.

#### CODIFICATION

Section is also set out in D.C. Code, § 9-115.